

JFW

**FAX COVER SHEET**

FAX NUMBER	15712730025
FROM	Bruce E Harang
DATE	2007-03-16 20:24:20 GMT
RE	US Appl. No. 10/707,432 -- Renewed Petition

**COVER MESSAGE**

Attached is a 1 page transmittal form, a 1 page fee transmittal form, a 1 page credit card payment form, and an 11 page petition including exhibits for:

US Appl. No.: 10/707,432  
Filed: 12/12/2003  
Inventor: John McKenzie  
Conf. No.: 1431  
Atty. Dkt.: 04445  
Art Unit: 3727  
Examiner: Justin Matthew Larson  
Atty: Bruce E Harang  
Cust. No.: 23688

**FAX RECEIVED**

MAR 16 2007

**OFFICE OF PETITIONS**

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\*\*\*\*\*

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PTO/SB/21 (09-06)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/707,432	
	Filing Date	12/12/2003	
	First Named Inventor	John McKenzie	
	Art Unit	3727	
	Examiner Name	Justin Matthew Larson	
Total Number of Pages in This Submission	14	Attorney Docket Number	04445

**OFFICE OF PETITIONS**

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks</b> Conf. No.: 1431		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name		
Signature	/Bruce E Harang/	
Printed name	Bruce E Harang	
Date	03/16/2007	Reg. No. 29720

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature	/Bruce E Harang/	
Typed or printed name	Bruce E Harang	Date 03/16/2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (01-06)

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2006**☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130.00

**Complete if Known**

Application Number	10/707,432
Filing Date	12/12/2003
First Named Inventor	John McKenzie
Examiner Name	Justin Matthew Larson
Art Unit	3727
Attorney Docket No.	04445

**FAX RECEIVED****MAR 16 2007****OFFICE OF PETITIONS****METHOD OF PAYMENT (check all that apply)**☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☐ Deposit Account Deposit Account Number: \_\_\_\_\_ Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

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**FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
_____ - 20 or HP = _____	x _____	= _____	

HP = highest number of total claims paid for, if greater than 20.

<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
_____ - 3 or HP = _____	x _____	= _____	

HP = highest number of independent claims paid for, if greater than 3.

<b>Multiple Dependent Claims</b>	
<b>Fee (\$)</b> <b>Fee Paid (\$)</b>	
_____	_____

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
_____ - 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Petition Fee

**Fees Paid (\$)**

130

**SUBMITTED BY**

Signature	/Bruce E Harang/	Registration No. (Attorney/Agent) 29720	Telephone 360-903-4693
Name (Print/Type)	Bruce E Harang	Date 03/15/2007	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO-2038 (02-2003)

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MAR 16 2007

**United States Patent and Trademark Office**  
**Credit Card Payment Form**  
**Please Read Instructions before Completing this Form**

OFFICE OF PETITIONS

**Credit Card Information****Credit Card Type:** ☒ Visa ☐ MasterCard ☐ American Express ☐ Discover**Credit Card Account #:** ~~XXXXXXXXXXXX~~**Credit Card Expiration Date:** 12/07**Name as it Appears on Credit Card:** Bruce E Harang**Payment Amount: \$ (US Dollars):** 130.00**Cardholder Signature:** **Date:** 03/16/2007

**Refund Policy:** The Office may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The office will not refund amounts of \$25.00 or less unless a refund is specifically requested, and will not notify the payor of such amounts (37 CFR § 1.26). Refund of a fee paid by credit card will be issued as a credit to the credit card account to which the fee was charged.

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**Credit Card Billing Address****Street Address 1:** PO Box 872735**Street Address 2:****City:** Vancouver**State/Province:** WA**Zip/Postal Code:** 98687-2735**Country:** USA**Daytime Phone #:** 360-903-4693**Fax #:** 360-838-6611**Request and Payment Information****Description of Request and Payment Information:**

Petition Fee

<input checked="" type="checkbox"/> Patent Fee	<input type="checkbox"/> Patent Maintenance Fee	<input type="checkbox"/> Trademark Fee	<input type="checkbox"/> Other Fee
Application No. 10/707,432	Application No.	Application No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No. 04445		Identify or Describe Mark	

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## IN THE UNITED STATES PATENT OFFICE

Application No.: 10/707,432  
Applicant: John McKenzie  
Filed: 12/12/2003  
TC/Art Unit: 3727  
Examiner: Stephen K Cronin

Docket No.: 04445  
Customer No.: 23688  
Confirmation No.: 1431  
March 16, 2007

FAX RECEIVED

MAR 16 2007

OFFICE OF PETITIONS

Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**RENEWED PETITION UNDER 37 CFR 1.48(a)**

Sir:

This is in response to the Communication of Deficient Petition dated 08/15/2005.

The required \$130.00 petition fee is submitted herewith.

Kindly consider this petition and the supporting documents submitted herewith, as sufficient and in full compliance with the requirements 37 CFR 1.48(a).

**Remarks/Arguments** begin on page 2 of this paper.

An **Appendix** including is attached following page 3 of this paper.



Appl. No.: 10/707,432  
Amdt. Dated: 3/16/2007  
Reply to Office action of: 08/15/2005

### REMARKS/ARGUMENTS

The Examiner in a communication dated 08/15/2005 noted that Applicants Petition to Correct Inventorship under 37 CFR 1.48(a) was deficient because: "An oath or declaration by each actual inventor or inventors listing the entire inventive entity has not been submitted." (a copy of the communication attached hereto for the Examiner's convenience).

Applicants submit herewith a new declaration which lists the complete inventive entity and signed by all but one of the inventors. The non-signing inventor Mr. John McKenzie signed the original declaration filed with the original case filing. In the interim Mr. John McKenzie has left the Assignee Company and refuses to communicate with this Assignee's attorney. However, in light of Mr. John McKenzie having signed the original declaration initially filed with this case Applicants believe that their Petition to Correct Inventorship is now in condition for allowance.

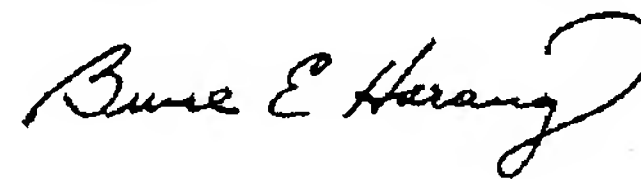
In addition, this attorney states that he called Mr. John McKenzie at the phone number provided by the Assignee on March 9, 2005 and on March 10, 2005. In both cases this attorney got an answering machine stating that the number was that of Mr. John McKenzie. This attorney left a message to return the phone call in both cases. Mr. John McKenzie did not respond to either phone call. On March 11, 2005 this attorney mailed, by certified mail return receipt requested (see exhibit A), a cover letter asking Mr. John McKenzie to execute the new declaration also enclosed and return same to this attorney (see exhibits B & C). Mr. John McKenzie did not respond. The unopened certified envelope containing exhibits B & C was returned to this attorney by the Postal Service labeled as "unclaimed" after Mr. John McKenzie having been notified by the Postal Service of its availability on March 14, 19, and 29, 2005 (see exhibit D). This attorney called Mr. John McKenzie for a third time on March 29, 2005 and again was connected to an answering machine. Again a message to return the call was left and no response has been forthcoming to date.

The last known address of Mr. John McKenzie continues to be 4420 Buckingham, Royal Oak, MI 48073; phone number 248-514-1123

Appl. No.: 10/707,432  
Amdt. Dated: 3/16/2007  
Reply to Office action of: 08/15/2005

In light of the attached new declaration naming the complete inventive entity signed by all but one of the original inventive signatories, the original declaration being signed by the now non-signing inventor Mr. John McKenzie, and this attorney's diligent efforts to contact the non-signing inventor Mr. John McKenzie to procure his signature on the new declaration Applicants believe their Petition under 37 CFR 1.48(a) is in condition for grant and such action is respectfully solicited.

Respectfully submitted,



Bruce E. Harang  
Registration No. 29,720  
Tel.: (360) 903-4693

Attachments: new declaration naming the complete inventive entity signed by all but one inventor, copy of the certified mail receipt, copy of the cover letter to the non-signing inventor, copy of the declaration sent to the non-signing inventor, copy of the returned unopened certified mailing envelope, copy of the Examiner's Communication dated 02/11/2005

U.S. Postal Service  
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Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 4.42</b>

Sent To John McKenzie  
 Street, Apt. No. 4420 Aubrey Lane  
 or PO Box No. 4420  
 City, State, ZIP+4 Royal Oak, MI 48073

PS Form 3800, January 2001 See Reverse for Instructions

2007 0940 2000 4934 8276

A



**B****Bruce E. Harang** Patent & Trademark Attorney

P. O. Box 872735, Vancouver, WA 98687 - 2735  
Telephone (360) 903-4693 - Facsimile (360) 838-6611

**FAX RECEIVED****MAR 16 2007****OFFICE OF PETITIONS**

March 11, 2005

**VIA CERTIFIED MAIL**

Mr. John McKenzie  
4420 Buckingham  
Royal Oak, MI 48073

Dear John:

Enclosed is a supplemental declaration upon which your signature is required. I would appreciate it if you would sign, date, and return this declaration to me as soon as possible.

This supplemental declaration is to allow for the addition of the inadvertently omitted inventors to get proper recognition along with you.

Thank you for your speedy assistance in this matter.

Best Regards,

Bruce E. Harang

Encl: 2 page Declaration &amp; Power of Attorney for Docket No. Lear 04445

e-mail: bhpatent@comcast.net

C

DOCKET NO: Lear 04445

**DECLARATION & POWER OF ATTORNEY**

As a below named inventor, I/we hereby declare that:

My/Our residences and citizenships are as listed below.

We believe that we John McKenzie, Alan Sturt, Thomas S. Hicks, Jeff A. Kempf, and James Andrew Mulvihill are the original, first and joint inventor(s) of the subject matter which is claimed and for which a patent is sought in the invention entitled **Universal Feature Attachment System**, identified as Lear attorney docket number 04445, the specification of which is filed concurrently herewith.

I/We hereby state that I/we have reviewed and understand the contents of the above identified specification including the claims, as amended by any amendment specifically referred to in this Declaration.

I/We acknowledge the duty to disclose information that is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I/We hereby appoint Bruce E. Harang, Registration No. 29,720; Bill C. Panagos, Registration No. 31,050; and Larry Shelton, Registration No. 45,100 to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith. Please send all correspondence to:

Bruce E. Harang  
Customer No. 23688  
P. O. Box 872735  
Vancouver, WA 98687-2735  
Telephone: 828-230-0450  
Facsimile: 360-838-6611

I/We hereby declare that all statements made herein of my/our own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements and the like so made jeopardize the validity of the application or any patent issued thereon.

Inventor's name: John McKenzie

Citizenship: United States

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: Royal Oak, MI 48073

Post Office Address: 4420 Buckingham, Royal Oak, MI 48073

C

DOCKET NO: Lear 04445

Inventor's name: Alan Sturt Citizenship: United States

Signature: Date: 28-FE-05

Residence: West Bloomfield, MI 48323

Post Office Address: 4780 Edkins Drive, West Bloomfield, MI 48323

Inventor's name: Thomas S. Hicks

Citizenship: United States

Signature: Date: 2/21/05

Residence: Livonia, MI 48154

Post Office Address: 14249 Ingram, Livonia, MI 48154

Inventor's name: Jeff A. Kempf

Citizenship: United States

Signature: Date: 2-28-05

Residence: Romeo, MI 48065

Post Office Address: 11251 Orchard Hill, Romeo, MI 48065

Inventor's name: James Andrew Mulvihill

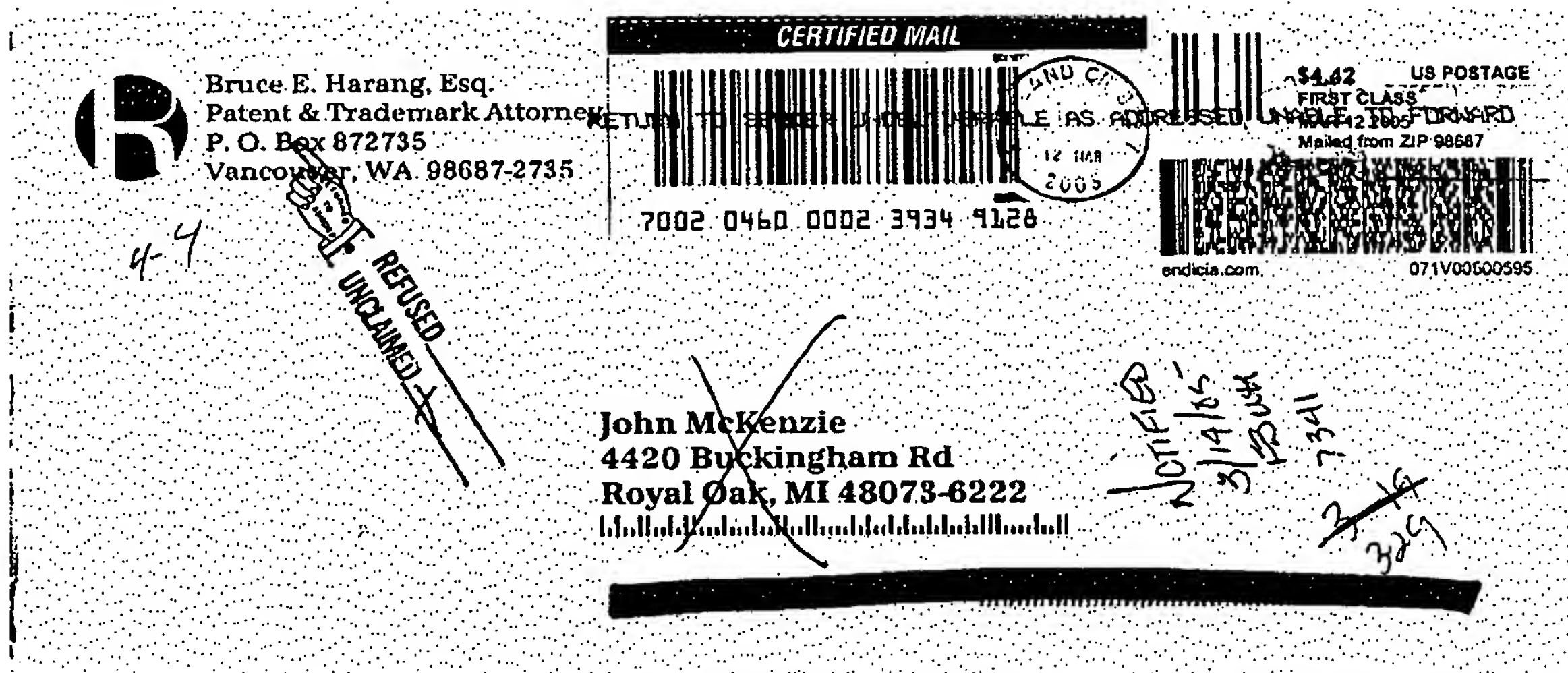
Citizenship: United States

Signature: Date: 2/17/2005

Residence: Royal Oak, MI 48073

Post Office Address: 3105 Coolidge Hwy, Apt. #104, Royal Oak, MI 48073

## Exhibit D



Envelope Front

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Received by (Please Print Clearly) _____ B. Date of Delivery _____</p>	
<p>1. Article Addressed to:</p> <p>John McKenzie 4420 Buckingham Royal Oak, MI 48073</p>		<p>C. Signature _____</p> <p>X _____ <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>2. 7002 0460 0002 3934 9128</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below: _____</p>	
		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	

Envelope Back



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,432	12/12/2003	John McKenzie	04445	1431
23688	7590	08/15/2005	EXAMINER	
Bruce E. Harang			CRONIN, STEPHEN K	
PO BOX 872735			ART UNIT	PAPER NUMBER
VANCOUVER, WA 98687-2735			3727	

DATE MAILED: 08/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



Application/Control Number: 10/707,432  
Art Unit: 3727

Page 2

***Decision on Petition to Correct Inventorship under 37 CFR 1.48(a)***

The request to correct the inventorship of this nonprovisional application under 37 CFR 1.48(a) is deficient because:

An oath or declaration by each actual inventor or inventors listing the entire inventive entity has not been submitted.

As it appears that a party required by 37 CFR 1.48(a)(2) to submit a statement of facts may not be willing to submit such statement, applicant should consider either: a) submission of a petition under 37 CFR 1.183 to waive that requirement if the original named inventor(s) has assigned the entire right and interest to an assignee who has given its consent to the requested inventorship correction, MPEP § 201.03, Statement of Lack of Deceptive Intention, or b) refiling the application (where addition is needed under 37 CFR 1.53(b) with a new oath or declaration and any necessary petition under 37 CFR 1.47, or where only deletion is needed, either under 37 CFR 1.53(b) utilizing a copy of a prior oath or declaration under 37 CFR 1.63(d)(1)(iv), or under 37 CFR 1.53(d))(design applications only), thereby eliminating the need for a 37 CFR 1.48 request.

Applicant is advised to review 37 CFR 1.183, 37 CFR 1.67, 37 CFR 1.48(a), MPEP 409.03 and MPEP 603. Additional help may also be obtained by contacting the Office of Petitions.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen K. Cronin whose telephone number is 571-272-4536. The examiner can normally be reached on M-F 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Newhouse can be reached on 571-272-4544. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Application/Control Number: 10/707,432  
Art Unit: 3727

Page 3

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Stephen K. Cronin  
Primary Examiner  
Art Unit 3727

skc